

08-02-04

Rce/

PTO/SB/30 (5/2000)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EV 371 772 235 US
Application Number	09/281,717
Filing Date	March 30, 1999
First Named Inventor	Baxter
Group Art Unit	1631
Examiner Name	M. Moran
Attorney Docket No.	61040-0008 US

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other Certificate of Limited Recognition under 37 C.F.R. § 10.9(b)

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Morgan, Lewis & Bockius LLP
Deposit Account No. 50-0310 (order no. 61040-0008 US):
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 385.00 (small entity fee)
- ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ _____ for a _____ month extension, the request for which is being made herewith
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Richard G. A. Bone for Thomas D. Kohler, Reg. No. 32,797	Limited Recognition Under 37 C.F.R. § 10.9(b) (Copy of Certificate attached hereto)	
Signature		Date	July 29, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703- _____ to the U.S. Patent and Trademark Office on the date indicated below.

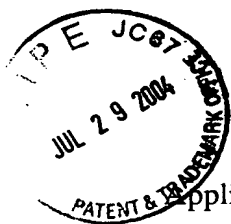
Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

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Express Mail # EV 371 772 235 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Baxter et al.

Confirmation No.: 7561

Serial No.: 09/281,717

Art Unit: 1631

Filed: March 30, 1999

Examiner: M. Moran

For: METHODS AND COMPOUNDS
FOR MODULATING NUCLEAR
RECEPTOR COACTIVATOR
BINDING

Attorney Docket No.: 61040-0008 US

**AMENDMENT ACCOMPANYING
REQUEST FOR CONTINUED EXAMINATION**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants thank the Examiner for the Notice of Allowance and Examiner's Amendment, mailed June 30, 2004, in connection with the above-identified application. Enclosed herewith are: a) a Request for Continued Examination (RCE); and b) an Information Disclosure Statement with List of References Cited by Applicant, including copies of cited references.

Amendments to the Claims begin at page 2 of this response. This listing of claims will replace all prior versions and listings of claims in the application.

Remarks start at page 8 of this response.